HOUSE DOCKET, NO. 650 FILED ON: 1/15/2023

HOUSE . . . . . No. 731

The Commonwealth of Massachusetts

PRESENTED BY:

Susannah M. Whipps

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act updating political terminology.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Susannah M. Whipps	*2nd Franklin*	*1/15/2023*

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HOUSE . . . . . No. 731

By Representative Whipps of Athol, a petition (accompanied by bill, House, No. 731) of Susannah M. Whipps relative to political designations and terminology. Election Laws.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *844* OF 2021-2022.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act updating political terminology.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1 - Section 1 of chapter 50 of the General Laws is hereby amended by striking the following paragraph:

"Political designation" shall apply to any designation required in section 8 of chapter 53, expressed in not more than three words, which a candidate for nomination under section 6 of chapter 53 represents, and to any designation expressed in not more than three words to qualify a political party under this section, filed by fifty registered voters with the secretary of state on a form provided by him or her, requesting that such voters, and any others wishing to do so, may change their registration to such designation, provided however, that the designation "Independent" shall not be used. Certificates showing that each of the signers of said request is a registered voter at the stated address, signed by the city or town clerk shall accompany the

petition. Any such request filed before December first in the year of a biennial state election shall not be effective until said December first.

And inserting in place thereof the following paragraph:

"Political designation" shall apply to any designation required in section 8 of chapter 53, expressed in not more than three words, provided that the word “Independent” shall not be used, which a candidate for nomination under section 6 of chapter 53 represents, and to any designation expressed in not more than three words, provided that the word “Independent” shall not be used, to qualify a political party under this section, filed by fifty registered voters with the secretary of state on a form provided by him or her, requesting that such voters, and any others wishing to do so, may change their registration to such designation. Certificates showing that each of the signers of said request is a registered voter at the stated address, signed by the city or town clerk shall accompany the petition. Any such request filed before December first in the year of a biennial state election shall not be effective until said December first. The designation “Independent” shall apply to those who choose not to enroll with a political party.

Section 2-Section 6 of Chapter 53 of the General Laws is hereby amended by striking the following paragraph:

“The name of a candidate for election to any office who is nominated otherwise than by a political party, generally referred to as an "Unenrolled" candidate, shall not be printed on the ballot at a state election, or on the ballot at any city or town election following a city or town primary, unless a certificate from the registrars of voters of the city or town wherein such person is a registered voter, certifying that he is not enrolled as a member of any political party, is filed with the state secretary or city or town clerk on or before the last day provided in section ten for

filing nomination papers. Said registrars shall issue each certificate forthwith upon request of any such candidate who is not a member of a political party or his authorized representative. No such certificate shall be issued to any such candidate who shall have been an enrolled member of any political party during the time prior to the last day for filing nomination papers as provided in section ten, and on or after the day by which a primary candidate is required by section forty-eight to establish enrollment in a political party."

And inserting in place thereof the following paragraph:

"The name of a candidate for election to any office who is nominated otherwise than by a political party, generally referred to as an "Independent" candidate, shall not be printed on the ballot at a state election, or on the ballot at any city or town election following a city or town primary, unless a certificate from the registrars of voters of the city or town wherein such person is a registered voter, certifying that he is not enrolled as a member of any political party, is filed with the state secretary or city or town clerk on or before the last day provided in section ten for filing nomination papers. Said registrars shall issue each certificate forthwith upon request of any such candidate who is not a member of a political party or his authorized representative. No such certificate shall be issued to any such candidate who shall have been an enrolled member of any political party during the time prior to the last day for filing nomination papers as provided in section ten, and on or after the day by which a primary candidate is required by section forty-eight to establish enrollment in a political party."

Section 38 of Chapter 53 of the General Laws is hereby amended by inserting the following:

Section 38-No voter enrolled under this section or section thirty-seven shall be allowed to receive the ballot of any political party except that in which he is so enrolled; provided, however, that, except as otherwise provided in said section thirty-seven, a voter may, except within a period beginning at eight o'clock in the evening of the twentieth day prior to any primary and ending with the day of such primary, establish, change or cancel his enrollment by forwarding to the board of registrars of voters a certificate signed by such voter under the pains and penalties of perjury, requesting to have his enrollment established with a party or political designation, changed to another party or political designation, or cancelled, or by appearing in person before a member of said board and requesting, in writing, that such enrollment be so established, changed or cancelled. Except as otherwise provided in section twelve of chapter four, sections one and two of chapter fifty-two, and sections forty A and forty-eight of this chapter, such enrollment, change or cancellation shall take effect upon the receipt by said board of such certificate or appearance, as the case may be; provided, however, that no such enrollment, change or cancellation shall take effect for a primary during the twenty days prior to such primary; provided further, that a voter registered in a political designation that is not a political party as defined in section 1 of chapter 50 shall be considered independent for the purpose of the primary and shall be eligible to receive a ballot of a political party of the voter's choosing. No voter enrolled as a member of one political party or political designation shall be allowed to receive the ballot of any other political party, upon a claim by him of erroneous enrolment, except upon a certificate of such error from the registrars, which shall be presented to the presiding officer of the primary and shall be attached to, and considered a part of the voting list and returned and preserved therewith; but the political party or political designation enrolment of a voter shall not

preclude him from receiving at a city or town primary the ballot of any municipal party, though in no one primary shall he receive more than one party ballot.